

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Stanley R. Chesler
v. : 11 Cr. 277
MICHAEL F. DURANTE, et al. : ORDER

This matter having been opened to the Court on the application of the United States of America, in the presence of the defendants (through their respective counsel), for an order granting a continuance of the proceedings in the above-captioned matter; and the Court having found that an order granting a continuance of the proceedings in the above-captioned matter should be entered, and for good and sufficient cause shown;

IT IS THE FINDING OF THIS COURT that the action should be continued for the following reasons:

1. This case has been deemed a “complex case” pursuant to Title 18, United States Code, Section 3161(h)(7)(B)(ii);
2. The discovery in the case is voluminous, in that it includes, among other things, extensive wiretap and recorded conversations, and numerous documentary records, including hundreds of patient files and prescriptions.
3. The defendants and their counsel need additional time to review the extensive discovery in this matter.
4. In light of the allegations, the defendants need sufficient additional time to investigate the charges.
5. In light of the discovery and depending on the results of their respective investigations, each defendant will need additional time to determine whether to file motions in

this matter and which motions should be filed.

6. In light of these findings, and given the nature of the case and its complexity, it is unreasonable to expect adequate preparation for pretrial proceedings or the trial itself within the time limits established under the Speedy Trial Act.

7. All defendants save defendant Michael Durante consent to the aforementioned continuance.

8. The grant of a further continuance will enable counsel for the defendants to adequately review the discovery, prepare motions and proceed with trial.

9. Pursuant to Title 18, United States Code, Section 3161, the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial.


WHEREFORE, it is on this  14 day of September, 2011

ORDERED that the proceedings in this matter are continued from November 15, 2011 until January 31, 2012;

IT IS FURTHER ORDERED that the period between November 15, 2011 and January 31, 2012, shall be excludable in computing time under the Speedy Trial Act of 1974;

IT IS FURTHER ORDERED that the following motion schedule shall apply: Any motions shall be filed by November 23, 2011; Opposition briefs by December 5, 2011; Reply briefs by December 12, 2011; Hearing on December 19, 2011, at 10:00 a.m.;

IT IS FURTHER ORDERED that trial in this matter shall commence January 31, 2012.



HON. STANLEY R. CHESLER
United States District Judge